

### REMARKS

The claims now pending in the application are Claims 1 to 24, the independent claims being Claims 1, 4, 7, 9, 11, 13, 21 and 22. Claims 1 to 14 have been amended. Claims 21 to 24 are newly presented.

In the Official Action dated April 1, 2003, the drawings were objected to on formal grounds. Claims 13 and 20 were rejected under 35 U.S.C. § 102(e), as anticipated by Applicant's Admitted Prior Art, Claims 4 and 11 were rejected under 35 U.S.C. § 102(e), as anticipated by U.S. Patent No. 6,459,449 (Juen), and Claims 6, 12, 16 and 19 were rejected under 35 U.S.C. § 103(a), as unpatentable over Applicant's Admitted Prior Art and Claim 14 was rejected under 35 U.S.C. § 103(a), as unpatentable over Applicant's Admitted Prior Art in view of the Juen '449 patent. Reconsideration and withdrawal of the objections and rejections respectfully are requested in view of the above amendments and the following remarks.

Initially, Applicant gratefully acknowledges the Examiner's indication that the application contains allowable subject matter, that Claims 1 to 3, 7 to 10, 15, 17 and 18 are allowed, and that Claim 5 is allowable over the prior art of record.

In this regard, Claims 1 to 3, 5, 7 to 10, 15, 17 and 18 have been amended to clarify the features recited therein. Applicant submits that these claims remain in allowable form and in condition for allowance.

The objection and rejections of the remaining claims over the cited art respectfully are traversed. Nevertheless, without conceding the propriety of the objection and rejections, Claims 4, 6 and 11 to 14 have been amended herein more clearly to recite various novel features of the present invention, with particular attention to the Examiner's comments. Support for the proposed amendments may be found in the original application. No new matter has been added.

The present invention relates to a novel image pickup apparatus for use with a flash apparatus. In one aspect, as recited in independent Claim 13, the image pickup apparatus comprises a color adjusting circuit and a color controlling circuit. The color adjusting circuit controls at least one of hue and color saturation. The color controlling circuit controls the color adjusting circuit such that, when a flash apparatus is used, the color adjusting circuit corrects at least one of the hue and the color saturation in accordance with an illuminating state of the flash apparatus to a subject.

In another aspect, as now recited in independent Claim 4, the image pickup apparatus comprises an illuminance detecting circuit which detects an illuminance of a subject, a color adjusting circuit which controls at least one of a hue and a color saturation, and a first controlling circuit. The first controlling circuit controls the color adjusting circuit such that at least one of the hue and color saturation is corrected in accordance with the illuminance of the subject detected by the illuminance detecting circuit.

In another aspect, as now recited in independent Claim 11, the image pickup apparatus comprises a white balance controlling circuit which controls white balance in accordance with at least one of an illuminance of a subject and an amount of light generated by the flash apparatus, a color adjusting circuit which controls at least one of hue and color saturation, and a color control circuit. The color control circuit controls the color adjusting circuit in accordance with white balance information generated by the white balance controlling circuit, such that when the white balance information varies in response to at least one of the illuminance of the subject and the amount of light generated by the flash apparatus, the color controlling circuit controls the color adjusting circuit in accordance with the white balance information.

Applicant submits that the prior art fails to anticipate the present invention. Moreover, Applicant submits that there are differences between the subject matter sought

to be patented and the prior art, such that the subject matter taken as a whole would not have been obvious to one of ordinary skill in the art at the time the invention was made.

In the subject application, Applicant discloses prior art in which hue and/or color saturation (color chroma saturation) are corrected in accordance with white balance. However, Applicant submits that this disclosure fails to disclose or suggest at least the above-discussed features of the present invention. The Examiner states that “the amount of white balance in a surrounding environment is equated to the amount of illuminance.” However, Applicant notes the generated control signals  $W_r$ ,  $W_b$  are control signals for controlling the R (red) and B (blue) signals; since the G (green) signal, which is an indispensable element to detecting the illuminance is *not* generated by the white balance setting control circuit (24), the illuminance of a subject or an amount of light generated by the flash apparatus is not/cannot be detected. (See, e.g., Column 13, lines 26 to 41). Nowhere does Applicant’s Admitted Prior Art disclose or suggest the feature where, when a flash apparatus is used, a color adjusting circuit corrects at least one of the hue and the color saturation (color chroma saturation) in accordance with the illuminating state of the light generated by the flash apparatus to a subject, as disclosed and claimed in the present application (Claim 13).

The Juen ‘449 patent relates to a color reproduction correction device and correction method for an imaging apparatus, and discloses a color reproduction correction device for an imaging apparatus that obtains color signals with a plurality of spectral characteristics. However, Applicant submits that the Juen ‘449 patent fails to disclose or suggest at least the above-described features of the present invention. In fact, Applicant submits that the Juen ‘449 patent discloses substantially the same features as Applicant’s Admitted Prior Art in the specification, in which at least one of the hue and the color saturation are corrected in accordance with the white balance. Nowhere is the Juen ‘449 patent understood to disclose or suggest the feature of illuminance detecting means/circuit

for detecting the illuminance of a subject, nor controlling a color adjusting circuit which corrects at least one of hue and color saturation in accordance with the detected illuminance, as disclosed and claimed in the present application (Claim 4). Nor is the Juen '449 patent understood to disclose or suggest the feature of an image apparatus comprising white balance controlling means for controlling white balance in accordance with at least one of the illuminance of a subject and an amount of light generated by a flash apparatus, where a color controlling circuit controls a color adjusting circuit in accordance with white balance information generated by the white balance controlling circuit, and also in accordance with at least one of the illuminance of the subject and the amount of light generated by the flash apparatus, as disclosed and claimed in the present application (Claim 11). Rather, as noted above, although the Juen '449 patent discloses correcting at least one of hue and color saturation (color chroma saturation) in accordance with the white balance (as in Applicant's Admitted Prior Art), nowhere is the Juen '449 patent understood to disclose or suggest the feature of correcting at least one of the hue and the color saturation in accordance with at least one of the illuminance of the subject and the amount of light generated by the flash apparatus, as disclosed and claimed in the present application. Nor is the Juen '449 patent understood to add anything to Applicant's Admitted Prior Art that would make obvious the claimed invention.

For the above reasons, Applicant submits that independent Claims 4, 11 and 13 are allowable over the cited art.

Claims 5, 6, 12, 14, 16, 19, 20, 23 and 24 depend from Claims 4, 11 and 13, respectively, and are believed allowable for the same reasons. Moreover, each of these dependent claims recites additional features in combination with the features of its respective base claim, and is believed allowable in its own right. Individual consideration of the dependent claims respectfully is requested.

Newly presented independent Claims 21 to 24 have been added to provide Applicant with an additional scope of protection commensurate with the disclosure. Applicant has reviewed the prior art of record and believes that these claims are allowable thereover. Favorable consideration of the newly presented claims and passage to issue of the subject application at the Examiner's earliest convenience earnestly are solicited.

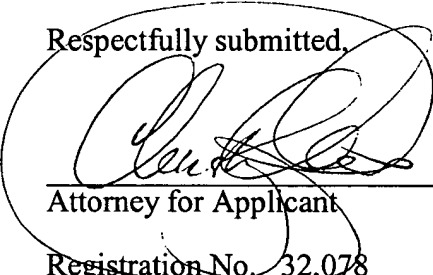
In formal matters, the specification has been amended to correct inadvertent typographical errors, as noted by the Examiner. Support for the proposed amendments may be found in the original specification, e.g., in the preceding text at page 23. No new matter has been added.

By separate paper filed concurrently herewith, Applicant has submitted a Request for Approval to Amend the Drawings. In that Request, Applicant has amended Figs. 4, 5A, 5B and 6, to conform the drawings and the written disclosure, as requested by the Examiner. No new matter has been added.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action, and submits that the application is in allowable form. Favorable consideration of the claims and passage to issue of the present application at the Examiner's earliest convenience earnestly are solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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